

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

JOHN CHARLES GAUTHIER,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-12-58-D
)	
BOARD OF COUNTY COMMISSIONERS)	
OF THE COUNTY OF CLEVELAND, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

This matter is before the Court for review of the Report and Recommendation [Doc. No. 65], issued by United States Magistrate Judge Gary M. Purcell pursuant to 28 U.S.C. § 636(b)(1). As pertinent here, Judge Purcell recommends that Plaintiff's motions for injunctive relief be denied, and that Defendant Carrie Davis's motion to file a surreply brief be denied as moot.¹ Plaintiff John Charles Gauthier, who appears *pro se*, has filed a timely written objection [Doc. No. 79]. Thus, the Court must make a *de novo* determination of portions of the Report to which a specific objection is made, and may accept, modify, or reject the recommended decision. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

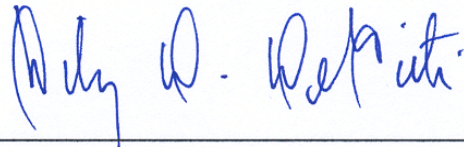
Although Plaintiff provides a lengthy discussion of his claims, he states that he no longer needs injunctive relief from the alleged practices of the Cleveland County Detention Center at issue in his motions, because he has been released from that facility. Plaintiff has also filed a notice of

¹ Judge Purcell also ordered Plaintiff to show cause why Defendant Gail Sayers should not be dismissed for lack of service pursuant to Fed. R. Civ. P. 4(m). Plaintiff timely responded to this Order, and Judge Purcell subsequently ordered an amendment of the Amended Complaint to correct a misnomer and an extension of time to serve the correctly named defendant. *See* Order of Aug. 2, 2012 [Doc. No. 80].

his change of address, which confirms that he is no longer confined at the Cleveland County Detention Center. Accordingly, the Court finds that all motions that are the subject of Judge Purcell's Report are moot, and that Judge Purcell's recommendations have been overcome by subsequent events.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Injunctive Relief [Doc. No. 41] and Motion to Supplement Request for Injunctive Relief [Doc. No. 53] and Defendant Carrie Davis's Motion for Leave to File Surreply [Doc. No. 54] are DENIED as moot.

IT IS SO ORDERED this 7th day of August, 2012.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE